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SMITH'S FOOD & DRUG CENTERS, INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANNA MARIE FRETUELCO,

Plaintiff,

vs.

SMITH'S FOOD AND DRUG CENTERS,
INC., a foreign corporation; DOES 1-10; ROE
CORPORATIONS 10-10; inclusive

Defendants.

Case No. 2:19-cv-00759-JCM-EJY

**STIPULATION FOR EXEMPTION FROM
SETTLEMENT CONFERENCE**

WHEREAS, Defendant SMITH'S FOOD & DRUG CENTERS, INC. (hereinafter "SMITH'S") and Plaintiff ANNA MARIE FRETUELCO (hereinafter "FRETUELCO") had previously agreed to participate in a private mediation schedule to take place on November 3, 2021 before Floyd Hale of JAMS; and

WHEREAS, SMITH'S has made arrangements to have a representative from its home legal office in Cincinnati, Ohio present for the mediation with full authority to settle this case; and

WHEREAS, SMITH'S is unable to have a representative in Las Vegas for mediation prior to November 2021; and

WHEREAS, counsel for the parties have requested trial dates in 2022 and will be able to complete the mediation currently scheduled and still comply with all pre-trial requirements if the case does not settle at the private mediation;

1 IT IS HEREBY STIPULATED AND AGREED by and between KEITH E. GALLIHER,
2 JR., ESQ. of THE GALLIHER LAW FIRM, Attorneys for Plaintiff FRETELUCO, and JERRY S.
3 BUSBY, ESQ., of the law firm COOPER LEVENSON, P.A., Attorneys for Defendant SMITH'S
4 that the Settlement Conference scheduled for August 19, 2021 with the Honorable Elayna J.
5 Youchah be vacated [ECF No. 80]; and

6 IT IS FURTHER STIPULATED AND AGREED that counsel will advise this Court of the
7 results of the private mediation on or before November 10, 2021.

8 THE GALLIHER LAW FIRM

COOPER LEVENSON, P.A.

9 /s/ Keith E. Galliher, Jr.

/s/ Jerry S. Busby

10 KEITH E. GALLIHER, JR., ESQ.

JERRY S. BUSBY, ESQ.

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Attorney for Plaintiff

Attorneys for Defendant

ANNA MARIE FRETELUCO

SMITH'S FOOD & DRUG CENTERS, INC.

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16 **ORDER**

17 IT IS SO ORDERED:

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19 UNITED STATES MAGISTRATE JUDGE

20 Dated: July 29, 2021
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